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# SUGGESTED ACTION BY THE GOVERNING COUNCIL ON ISSUES RAISED IN THE INTRODUCTORY REPORT OF THE EXECUTIVE DIRECTOR

1. In his introductory report to the Governing Council at its sixteenth session (UNEP/GC.16/4 and Corr.1 and Add.1, Add.2, Add.3 and Corr.1 (English only) and 2, Add.4 and Corr.1 and Supplement 1, Add.5, Add.6 and Corr.1, and Adds.7-8), the Executive Director raised a number of issues including:

(a) Environmental implications of the Iraqi/Kuwaiti conflict (UNEP/GC.16/4/Add.1);

(b) Function, periodicity and duration of Governing Council sessions (UNEP/GC.16/4 and Corr.1, paras. 43-64);

(c) Special session of the Governing Council in 1992 (UNEP/GC.16/4/Add.6 and Corr.1);

(d) Early warning and forecasting of environmental emergencies (UNEP/GC.16/4/Add.2);

(e) Proposed United Nations centre for urgent environmental assistance (UNEP/GC.16/4/Add.2, paras. 11-25);

(f) Role of the Governing Council in strengthening the implementation of international legal instruments in the field of the environment (UNEP/GC.16/4/Add.2, paras. 1-6);

(g) Role of the Governing Council in helping in the prevention of and assisting in the resolution of environmental conflicts (UNEP/GC.16/4/Add.2, paras. 7-10);

(h) A Green Brigade (UNEP/GC.16/4/Add.2, paras. 26-33);

(i) World Environment Academy (UNEP/GC.16/4/Add.3 and Corr.1 (English only) and 2;

(j) Environment and economics (UNEP/GC.16/4/Add.4 and Corr.1), including international economic co-operation, environmentally sound development and revitalization of economic growth (UNEP/GC.16/4/Add.4/Supplement 1);

(k) Fund target for 1995 (UNEP/GC.16/4/Add.5).

2. With regard to these issues, the Governing Council may wish to adopt a policy decision along the following lines:

The Governing Council,

I. Environmental implications of the Iraqi/Kuwaiti conflict

Having considered the report of the Executive Director on the environmental implications of the Iraqi/Kuwaiti conflict (UNEP/GC.16/4/Add.1),

1. Expresses its deep concern at the very serious environmental impacts resulting from the war emanating from Iraqi/Kuwaiti conflict;

2. Urges the Executive Director to accelerate the work of the inter-agency task team established to survey and assess environmental damage in the area and to design a plan to deal with it;

3. Invites Governments in a position to do so to contribute generously to the technical co-operation trust fund established within the United Nations Environment Programme to develop and co-ordinate the implementation of the plan for the survey, assessment and dealing with the consequences of the environmental damage caused by conflict between Kuwait and Iraq;

4. Invites the General Assembly to review the 1977 Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques with a view to:

(a) Strengthening the Convention;

(b) Encouraging accession to the Convention;

(c) Establishing concrete means of verification of the implementation of the provisions of the Convention;

II. Function, periodicity and duration of Governing Council sessions

Having considered the report of the Executive Director on the implications for the Governing Council of the challenges and demands of the 1990s (UNEP/GC.16/4 and Corr.1, paras. 43-64),

1. Decides:

(a) To continue its biennial cycle of sessions;

(b) To establish an Executive Committee composed of [-] members of the Governing Council to meet once or twice between regular sessions of the Council;

or

1. Decides:

(a) To recommend to the General Assembly that the Council revert to the practice of holding one session every year;

(b) To establish two standing committees, one for programme matters and one for the Environment Fund and administrative and other financial matters, to meet for one week in odd-numbered years immediately prior to the Governing Council;

(c) To hold its annual sessions for one week only at the ministerial or equivalent level;

2. Considers that ...;*

3. Decides that the bureau of the Council should continue to meet with the bureaux of the counterpart organs of the relevant specialized agencies and other organs of the United Nations system to develop more positive and collaborative relationships;

4. Decides to entrust some of its members with the task of addressing, on its behalf, meetings of general conferences or assemblies of the organs and organizations of the United Nations system whose mandates are relevant to the work of the United Nations Environment Programme;

5. Further decides:

(a) To set aside two plenary meetings during its sessions for a discussion of regional environmental problems;

(b) To set aside two plenary meetings during its sessions for an in-depth discussion of a theme or sector with ministers responsible for that theme or sector;

(c) To have a joint one- or two-day session every two years with the Governing Council of the United Nations Development Programme;

## III. Special session of the Governing Council in 1992

Having considered the report of the Executive Director on a special session of the Governing Council in 1992 (UNEP/GC.16/4/Add.6 and Corr.1),

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* Here the Council may wish to express its views regarding the expanded membership of the Council itself.

1. Decides to hold a five-day special session of the Governing Council from 3 to 7 February 1992;

2. Approves the following provisional agenda for the special session:

"1. Opening of the session.

"2. Adoption of the agenda.

"3. Credentials of representatives.

"4. Consideration of the synthesis state-of-the-environment report to be presented to the United Nations Conference on Environment and Development.

"5. Consideration of the Secretary-General's consolidated report on further substantive follow-up to General Assembly resolutions 42/186 and 42/187.

"6. Plan of Action to Combat Desertification and its financing.

"7. Other issues that need to be brought to the attention of the United Nations Conference on Environment and Development.

"8. Other business.

"9. Adoption of the report.

"10. Closure of the session.";

## IV. Early warning and forecasting of environmental emergencies

Recalling General Assembly resolution 44/224 of 22 December 1989, by paragraph 5 of which the Assembly requested the Secretary-General, assisted by the Executive Director of the United Nations Environment Programme, to prepare a report, on the basis of the views of Member States and existing national and international legislation in the field, containing proposals and recommendations on, inter alia, international co-operation in the monitoring, assessment and anticipation of environmental threats and assistance in cases of environmental emergencies,

Underlining the importance of strengthening the capacity of Earthwatch to make authoritative statements, to anticipate environmental degradation and to issue early warnings to the international community,

Noting that the general objectives of Earthwatch as defined in the system-wide medium-term environment programme for the period 1990-1995, as adopted by the Governing Council by its decision SS.I/3 of 18 March 1988, are "to accumulate and improve reliable and comparable scientific and technical information about environmental issues and to develop and apply means of collecting, storing, retrieving and processing such information in a way that will make it readily available to decision-makers and specialists" and "to

provide comprehensive assessments of environmental issues on the basis of socio-economic data and data on the major components and processes of the global and regional environments, to monitor, in an appropriate way, the transition towards sustainable development," (UNEP/GCSS.I/7/Add.1, paras. 332 and 343),

1. Takes note of the report of the Secretary-General on this subject (UNEP/GC.16/17);

2. Considers that assessments are particularly needed in all those areas of concentration identified by the Governing Council in section IV of its decision 15/1 of 25 May 1989 and enumerated by the General Assembly in resolution 44/228 of 22 December 1989 for consideration at the United Nations Conference on Environment and Development;

3. Further considers that Earthwatch should also be able to accommodate emerging issues as and when need arises;

4. Recommends that, in keeping with its mandate, Earthwatch should identify global and regional environmental monitoring and assessment needs, co-ordinate and harmonize global, regional and national monitoring and assessment programmes to the extent required, prepare comprehensive assessment statements, give advanced warning of emerging environmental threats, advise on causal relationships of observed environmental changes, and suggest policy responses and management options where necessary;

5. Further recommends that Earthwatch should pay particular attention to the interface between environment and development, and draw attention, when necessary, should the limits of sustainable development be approached or exceeded in different sectors or regions;

6. Requests the Executive Director to continue to strengthen the environmental monitoring and assessment capacities of developing countries to enable them to participate actively and more fully in Earthwatch;

7. Further requests the Executive Director to prepare detailed proposals for ensuring adequate financial and institutional support to enable Earthwatch to carry out fully its mandated programmes, and to report on these matters to the Governing Council at its seventeenth regular session, on the basis of the decisions taken by the General Assembly on the Secretary-General's report;

## V. Proposed United Nations centre for urgent environmental assistance

Recalling its decision 15/10 of 25 May 1989 on a United Nations centre for urgent environmental assistance,

Mindful of General Assembly resolution 44/224 of 22 December 1989 on international co-operation in the monitoring, assessment and anticipation of environmental threats and in assistance in cases of environmental emergency,

Having considered the report of Executive Director on a proposed United Nations centre for urgent environmental assistance (UNEP/GC.16/4/Add.2, paras. 11-25),

Considering the need for strengthening international co-operation on, and improving response to, environmental emergencies,

Further considering that there is an urgent need for strengthening the existing capacities of the United Nations system to deal with environmental emergencies,

1. Authorizes the Executive Director to proceed with the establishment of a centre early in 1992 on an experimental basis and on a modest scale, with a budget of approximately $2 million for some eighteen months, taking into account the views and suggestions expressed by Governments and United Nations agencies and based on the following principles:

(a) It would not be a new institution, but rather a small co-ordinating body acting as a switchboard and clearing-house;

(b) It would focus on referral and information-sharing activities between existing well-established emergency response mechanisms in various bodies and organizations of the United Nations system and those of various national Governments;

(c) It would have a steering committee composed of representatives of all concerned United Nations agencies and bodies and chaired by the Assistant Executive Director of the United Nations Environment Programme, Office of the Environment Programme;

(d) It would be primarily concerned with sudden events requiring urgent and immediate response, rather than the slow processes of environmental degradation;

(e) It would focus, initially, on industrial, transport, oil spill and other technological emergencies;

(f) It would maintain rosters of consultants and experts on environmental emergencies and of sources of appropriate equipment, as well as a list of areas of possible risk;

(g) It would identify, in full co-operation with the agencies concerned, the needs of their emergency response mechanisms to respond more efficiently to these emergencies;

2. Requests the Executive Director to review with the United Nations agencies concerned the operation of the experimental centre and to report on this review and proposals for further action to the Governing Council at its seventeenth regular session;

## VI. Role of the Governing Council in strengthening the implementation of international legal instruments in the field of the environment

Having considered the report of the Executive Director on the role of the Governing Council in strengthening the implementation of international legal instruments in the field of the environment (UNEP/GC.16/4/Add.2, paras. 1-6),

1. Authorizes the United Nations Environment Programme through its Global Environmental Monitoring System to monitor the efficacy of international legal instruments in the field of the environment by checking the impact of the treaties on the relevant indices of the environmental area which they address;

2. Authorizes the secretariat of the United Nations Environment Programme to continue to update and expand on a regular basis the Register of International Treaties and Other Agreements in the Field of the Environment;

3. Decides to establish an inter-secretariat co-ordination committee, convened by the Governing Council under the chairmanship of the Executive Director or his senior representative, to meet on a regular basis and to exercise the following functions:

(a) To receive and consider regular reports from the Global Environmental Monitoring System on the impact of international legal regulations on key indices of the natural environment;

(b) To receive and review regular reports from individual secretariats on the implementation of relevant legal instruments, and to report regularly to the Governing Council on the state of implementation of international legal instruments in the field of the environment;

(c) To consider and evaluate verification/compliance/enforcement mechanisms;

(d) To recommend to the Governing Council, for its consideration and further recommendation to the relevant meetings of contracting parties, ways and means of improving further the verification mechanisms and practices under environmental treaties;

(e) To draw to the attention of the Governing Council particularly serious threats of damage to global environment of which the committee becomes aware in the performance of its functions;

(f) To perform, as appropriate, any other functions that may be entrusted to it by the Governing Council;

4. Decides to add to its regular reporting to the United Nations General Assembly a report on the implementation of international environmental legal instruments on the basis of the reports submitted to it by the inter-secretariat co-ordination committee;

5. Invites contracting parties to environmental agreements to establish mechanisms for monitoring their implementation in those cases where the agreements do not themselves do so;

## VII. Role of the Governing Council in helping in the prevention of and assisting in the resolution of environmental conflicts

Having considered the report of the Executive Director on the role of the Governing Council in helping in the prevention of and assisting in the resolution of environmental conflicts (UNEP/GC.16/4/Add.2, paras. 7-10),

1. Decides to deal with the issues of helping in the prevention of and assisting in the resolution of environmental conflicts itself directly by:

or

1. Decides to establish a special committee on a broad geographical basis to help in the prevention of and assist in the resolution of environmental conflicts by:

or

1. Commissions the Executive Director to act on its behalf to help in the prevention of and assist in the resolution of environmental conflicts by:

(a) Representing the environmental interests of the international community as a whole for the benefit of present and future generations;

(b) Issuing early warnings of any serious environmental threat that might give rise to an international conflict;

(c) Establishing fact-finding bodies, upon request, utilizing the most highly qualified independent environmental experts, and rendering good offices and/or conciliation and/or mediation services;

(d) Requesting, in accordance with Article 96 of the Charter of the United Nations, advisory opinions from the International Court of Justice (ICJ) on legal questions related to environmental conflicts;

## VIII. The Green Brigade

Having considered the report of the Executive Director on the establishment of a Green Brigade (UNEP/GC.16/4/Add.2, paras. 26-33),

1. Encourages the Executive Director to proceed on an experimental basis with the first phase of implementing the concept of a Green Brigade;

2. Requests the Executive Director to report to the Governing Council at its seventeenth regular session on the results of this experimental phase;

## IX. World Environment Academy

Having considered the report of the Executive Director on the World Environment Academy (UNEP/GC.16/4/Add.3 and Corr.1 (English only) and 2),

1. Authorizes the Executive Director to establish the Academy, along the lines described in his report, for an experimental period of two years and to approve the allocation of $1.2 million for that purpose;

2. Requests the Executive Director to submit to the Council at its seventeenth regular session an evaluation of the experimental phase of the Academy for the Council's consideration and further decision;

## X. Environment and economics

Having considered the reports of the Executive Director on environment and economics (UNEP/GC.16/4/Add.4 and Corr.1) and on international economic co-operation, environmentally sound development and revitalization of economic growth (UNEP/GC.16/4/Add.4/Supplement 1),

Considering that the challenges posed by environmental degradation and resource depletion must be met through a broad spectrum of policy analyses and politically acceptable and economically efficient actions,

Further considering that there is an urgent need to assign intrinsic value to natural resources and to establish a realistic symmetry between the prices charged for natural resources and the social and environmental costs to the community of their extraction and depletion,

Recognizing the need for the development of mechanisms or procedures for establishing the cost of waste generation, either in terms of the degradation of polluted natural resources, of clean-up costs borne by the community or of ascribing a net value to the finite capacity of the world to absorb particular classes of waste,

Considering also that there is an obvious need to review trade and pricing policies to obtain more realistic commodity prices and to avoid unjustifiable environmentally based non-tariff barriers,

Further considering that there is a need to review the potential of risk management techniques for use in making policy decisions relating to resource use and new technologies,

1. Takes note of the reports of the Executive Director on environment and economics and on international economic co-operation, environmentally sound development and revitalization of economic growth;

2. Requests the Executive Director to give high priority within the programme on development planning and co-operation to studies aimed at:

(a) Meeeting the need for a broad spectrum of policy analyses and politically acceptable and economically efficient actions to meet the challenges posed by environmental degradation and resource depletion;

(b) The assignment of intrinsic value to natural resources and the establishment of a realistic symmetry between the prices charged for natural resources and the social and environmental costs to the community of their extraction and depletion;

(c) The development of mechanisms or procedures for establishing the cost of waste generation, either in terms of the degradation of polluted natural resources, of clean-up costs borne by the community or of ascribing a net value to the finite capacity of the world to absorb particular classes of waste;

(d) Reviewing trade and pricing policies to obtain more realistic commodity prices and to avoid unjustifiable environmentally based non-tariff barriers;

(e) Assessing the potential of risk management techniques in making policy decisions relating to resource use and new technologies;

3. Requests the Executive Director to enhance the work of the Programme, in co-operation with all relevant bodies of the United Nations system, on the subject of environment and natural resources accounting;

4. Further requests the Executive Director to include in the programme on development planning and co-operation studies on:

(a) The appropriate mix of regulations, incentives and safeguards necessary to meet particular environmental concerns;

(b) Ways and means of ensuring the widespread availability of the most appropriate environmentally sound technologies;

(c) Ways and means of ensuring the global application of natural resources accounting;

5. Authorizes the Executive Director to submit on behalf of the Council his report on international economic co-operation, environmentally sound development and revitalization of economic growth, together with the comments of the Council thereon, through the Economic and Social Council, to the General Assembly at its forty-sixth session;

## XI. Fund target for 1995

Having considered the report of the Executive Director on a Fund target for 1995 (UNEP/GC.16/4/Add.5),

Encourages the Executive Director to aim for a target for annual contributions to the Environment Fund of 250 million United States dollars by the year 1995 to enable the United Nations Environment Programme to expand its programme in the following priority areas of concern:

(a) Climate studies:

(i) Regional and country impacts;

(ii) Costs of responding to climate change at the global and country level;

(b) Earthwatch:

(i) Significant reinforcement of the monitoring networks covering air pollution, water pollution, desertification and deforestation;

(ii) Establishment of an effective network of stratospheric ozone monitoring stations in the developing world;

(iii) Increasing significantly the number of ultra-violet radiation monitoring stations;

(iv) Establishment of an effective radiation monitoring stations network;

(v) Establishment of data validation programmes;

(vi) Expanding the files of the International Register of Potentially Toxic Chemicals and its capacity for query response;

(vii) Expanding the INFOTERRA training programmes and its capacity for query-response;

(c) Expansion of the Global Resource Information Database: to allow for the proper collection, collation and distribution of relevant information on the availability of natural resources, their rates of depletion, the contribution to global environmental problems by country and sector;

(d) National legislation, institution-building and training for developing countries:

(i) Major efforts in assisting developing countries with strengthening or building their institutions dealing with the environment with particular emphasis on the relationship between environmental concerns and development plans and activities;

(ii) Establishment of model legislation for dealing with various environmental concerns at the national level in order to foster the implementation of international treaties at the national level;

(iii) Assisting developing countries in establishing early warning systems in conjunction with Earthwatch to signal potential environmental degradation, as well as in establishing mechanisms for dealing with environmental emergencies;

(iv) Helping to strengthen environmental machineries in developing countries for drawing up proper afforestation programmes, national soil and desertification control policies, and plans for the establishment and management of protected areas to preserve biological diversity;

(v) Offering effective support to laboratories in the developing countries dealing with monitoring of pollution of the air, freshwater, the marine environment and coastal areas, and soils, with particular reference to pollution derived from land-based sources;

(e) Public information:

(i) Expansion of the Programme's capacity to generate and distribute public information through all available media;

(ii) Expansion of the Programme's capacity to organize workshops and seminars for journalists dealing with environmental issues;

(iii) Increasing the Programme's capacity to tailor information to the needs of youth groups, non-governmental organizations, particularly those that deal with environment-related issues such as development, population and peace, women's groups, UNEP committees and goodwill ambassadors;

(f) New environmental initiatives: support to the preliminary experimental phases of the environmental initiatives that would be agreed by the Governing Council;

(g) Cleaner production:

(i) Expansion of the Programme's efforts, through its Industry and Environment Office, for the development and use of cleaner technologies;

(ii) Establishment of mechanisms that would promote the transfer of cleaner technologies to developing countries and east and central European countries, as well as their development by these countries through pilot schemes;

(iii) Development of significant activities in the areas of transport, tourism and the environment, and the area of the working environment.

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